

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

J.W., a minor, by and through AMANDA
WILLIAMS, Guardian and Next Friend.

Case No.: 3:21-cv-00663-CWR-LGI

Plaintiff,

Hon. Carlton W. Reeves
Mag. LaKeysha Greer Isaac

v.

THE CITY OF JACKSON, MISSISSIPPI;
CHOKWE A. LUMUMBA, JR.; TONY YARBER;
KISHIA POWELL; ROBERT MILLER; JARRIOT
SMASH; THE MISSISSIPPI DEPARTMENT OF
HEALTH; JIM CRAIG; TRILOGY ENGINEERING
SERVICES, LLC; AND John Does 1-40

Defendants.

**DEFENDANT, TRILOGY ENGINEERING SERVICES, LLC’S RESPONSE TO
PLAINTIFF’S MOTION TO CONSOLIDATE CASES NUMBERED 3:21-663, 3:21-667,
AND 3:22-171**

Defendant, Trilogy Engineering Services, LLC (“Trilogy”), by and through undersigned counsel, and pursuant to L.U. Civ. R. 7 and the Federal Rules of Civil Procedure, hereby files its Response to Plaintiff, J.W., a minor, by and through Amanda Williams, Guardian and Next Friend’s (“Plaintiff”) Motion to Consolidate Cases Numbered 3:21-663, 3:21-667, and 3:22-171 (the “Response”), and in support thereof states as follows:

1. This lawsuit is one of three civil suits, *J.W. v. City of Jackson et al.* (“*J.W.*”); *P.R. v. City of Jackson et al.* (“*P.R.*”); and *C.A. v City of Jackson et al.* (“*C.A.*”) (collectively, the “Jackson Water Cases”), filed on behalf of hundreds of plaintiffs for alleged lead contamination in drinking water provided by the City of Jackson (“City”) to its residents.

2. On May 27, 2022, the Honorable Judge Carlton W. Reeves held an initial Status Conference, and in response to the Plaintiff's *ore tenus* Motion for Consolidation, directed the Plaintiff to file his Motion to Consolidate the Jackson Water Cases by June 3, 2022.

3. On June 3, 2022, pursuant to the Court's directions, the Plaintiff filed his Motion to Consolidate Cases Numbered 3:21-663, 3:21-667, and 3:22-171, and supporting Memorandum (the "Motion") seeking to fully consolidate the Jackson Water Cases for the purposes of discovery, motion practice, and trial. [ECF No. 95-96]

4. As accurately stated in the Motion, Trilogy does not oppose consolidation of the Jackson Water Cases. [ECF No. 95-96].

5. However, the Motion contains a five-page-long factual background section (the "Motion Factual Background") that reiterates many of the allegations against Trilogy set forth in the Plaintiff's Amended Complaint filed on February 17, 2022 (the "Complaint") [ECF No. 51], which were either specifically denied in Trilogy's Answer and Affirmative Defenses filed on April 11, 2022 [ECF No. 70], or the subject of Trilogy's Motion to Strike Paragraphs 21, 22, 23 and 301 of the Complaint and supporting Memorandum. [ECF No. 71-72].

6. As such, although in favor of the consolidation of the Jackson Water Cases, Trilogy hereby reiterates its answers to Plaintiff's allegations in the Complaint, and states that its support of the consolidation of the Jackson Water Cases should in no way be interpreted as an agreement with, or admittance of, the Motion Factual Background or the Complaint as it pertains Trilogy.

WHEREFORE, Trilogy Engineering Services, LLC, respectfully requests this Court to enter an Order granting Plaintiff's Motion to Consolidate Cases Numbered 3:21-663, 3:21-667, and 3:22-171, yet noting Trilogy's answers and objections to Plaintiff's factual allegations.

This, the 10th day of June, 2022.

Respectfully submitted,

By: /s/ Davide Macelloni
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CERTIFICATE OF SERVICE

The undersigned certifies that on June 10, 2022, I electronically filed an Appearance with the Clerk of the Court using ECF system which will send notification of such filing to all attorneys of record.

Respectfully submitted,

By: /s/ Davide Macelloni
Davide Macelloni